

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, JANUARY 28, 2014

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Buckner-Webb, McKenzie, and Winder, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Jacob Price, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 27, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 133

BY RESOURCES AND ENVIRONMENT COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE OUTFITTERS AND GUIDES LICENSING BOARD RELATING TO RULES OF THE OUTFITTERS AND GUIDES LICENSING BOARD.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Outfitters and Guides Licensing Board relating to Rules of the Outfitters and Guides Licensing Board is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 25.01.01, Outfitters and Guides

Licensing Board, Rules of the Outfitters and Guides Licensing Board, adopted as a pending rule under Docket Number 25-0101-1201, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

[SCR 133](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 28, 2014

The JUDICIARY AND RULES Committee reports that [SJR 103](#), [S 1246](#), [S 1247](#), [S 1248](#), [S 1249](#), [S 1250](#), [S 1251](#), [S 1252](#), [S 1253](#), and [S 1254](#) have been correctly printed.

LODGE, Chairman

[SJR 103](#), [S 1253](#), and [S 1254](#) were referred to the State Affairs Committee.

[S 1246](#), [S 1247](#), [S 1248](#), [S 1249](#), [S 1250](#), and [S 1251](#) were referred to the Judiciary and Rules Committee.

[S 1252](#) was referred to the Commerce and Human Resources Committee.

January 27, 2014

The FINANCE Committee reports out [S 1245](#) with the recommendation that it do pass.

CAMERON, Chairman

[S 1245](#) was filed for second reading.

January 27, 2014

The RESOURCES AND ENVIRONMENT Committee reports out [S 1220](#) with the recommendation that it do pass.

PEARCE, Chairman

[S 1220](#) was filed for second reading.

January 27, 2014

The JUDICIARY AND RULES Committee reports out [S 1214](#) and [S 1215](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1214](#) and [S 1215](#) were filed for second reading.

January 27, 2014

The HEALTH AND WELFARE Committee reports out [S 1222](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1222](#) was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 27, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mark Sweeney of Lewiston, Idaho, was reappointed as a member of the Aeronautics Advisory Board to serve a term commencing January 31, 2014, and expiring January 31, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Transportation Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 27, 2014

Dear Mr. President:

I transmit herewith [H 386](#), [H 387](#), [H 388](#), [H 346](#), [H 347](#), [H 359](#), [H 364](#), and [H 365](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 386](#), [H 387](#), [H 388](#), [H 346](#), [H 347](#), [H 359](#), [H 364](#), and [H 365](#) were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1255

BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO THE CONVEYANCE OF MINERAL RIGHTS; AMENDING CHAPTER 1, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-101C, IDAHO CODE, TO PROVIDE THAT CERTAIN CONVEYANCES OF MINERAL RIGHTS INCLUDE RIGHTS TO OIL AND GAS, TO PROVIDE THAT CERTAIN CONVEYANCES OF MINERAL RIGHTS ARE PRESUMED TO INCLUDE RIGHTS TO OIL AND GAS AND TO PROVIDE EXCEPTIONS.

[S 1255](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Cameron was recorded present at this order of business.

[H 386](#), [H 387](#), and [H 388](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 346](#), [H 347](#), and [H 359](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 364](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 365](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1208](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate.

On request by Senator Hagedorn, granted by unanimous consent, [S 1208](#) was recommitted to the Transportation Committee.

On request by Senator Johnson, granted by unanimous consent, [S 1209](#) retained its place on the Third Reading Calendar for Thursday, January 30, 2014.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Bock, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11:30 a.m., Wednesday, January 29, 2014.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary